

# QUESTIONS AND ANSWERS ABOUT THE NEW CHILDCARE AND SCHOOL ENTRY VARICELLA IMMUNIZATION REQUIREMENT

California Department of Health Services  
Immunization Branch  
January 25, 2001

The California child care and school immunization law (California Health and Safety Code Section 120335) was amended in October 1999, adding Varicella (chickenpox) to the vaccines required for school and childcare entry, effective July 1, 2001. These Q&A pages have been developed to answer the most commonly asked questions about the new Varicella requirement.

## **#1 Q. What is the new school and child care vaccine requirement?**

- A. The new requirement is for one dose of Varicella (chickenpox) vaccine for children 18 months and older, except if the child is aged 13 years or older and unimmunized, two doses are required.

## **#2 Q. Who will be required by law to have the Varicella immunization and when?**

- A. **For schools**, the requirement covers all children entering a California school at kindergarten level (or first grade if kindergarten was skipped) for the first time on or after July 1, 2001. Thus, all children who attended California schools before July 1, 2001 at the kindergarten or above level are exempt from the requirement. In other words, this law will affect (a) children entering kindergarten (or entering first grade, if kindergarten was skipped) in California for the first time on or after July 1, 2001, and (b) older children under age 18 years from out of state or out of country who enter (or transfer to) a California school at a higher grade level for the first time on or after July 1, 2001.

**For licensed child care facilities**, the requirement covers all children aged 18 months and older, effective July 1, 2001; that is, it covers those who are in or who enter these facilities on or after that date. (Actual receipt of Varicella immunization before age 18 months is acceptable for these children; see Question #4.)

## **#3 Q. What does “enrolled” mean?**

- A. For purposes of California’s immunization law, enrolled is defined as “admission,” meaning physical entry into school or child care facility (California Code of Regulations, Title 17, Section 6000). It does not mean registration or pre-admission in advance of actual physical entry.

**Note:** Some schools have their own policies that are more stringent than California’s immunization law and require immunization documentation earlier - at the time of registration – as school policy. Children registering for kindergarten at such schools in the spring of 2001 but who will not actually commence attendance until on or after July 1, 2001 are subject to the new Varicella requirement.

**#4 Q. Is the Varicella vaccine dose required on or after the first birthday?**

- A. No. Unlike the MMR vaccine requirement, where schools and child care facilities must require that the immunization be received on or after the first birthday, there is no minimum immunization age criterion in order to satisfy the school and child care facility entry Varicella immunization requirement. However, it is strongly recommended that Varicella vaccine be given on or after the first birthday to ensure optimal protection.

**#5 Q. If the child has had Varicella (chickenpox) disease, what do we do?**

- A. The regulations will allow a physician to determine that a child meets the Varicella requirement based on clinical history of Varicella (chickenpox) disease. This determination represents a serious clinical responsibility and should only be done using good clinical judgement and/or carefully crafted guidelines or protocols. Physicians can document this determination on a child's yellow 'California Immunization Record' card by checking the "Had disease" box in the Varicella section or, if no such box is on the child's card, writing in "Varicella, had disease", in either case signing or stamping in physician's office or clinic name next to it. Schools and child care facilities can then indicate receipt of such a physician determination by writing "Disease" (no disease date needed) over the Varicella immunization date section on the child's blue California School Immunization Record card, or by attaching a copy of the child's yellow card with this information to the blue school immunization record card. If no physician is available to make a determination on a child's history of clinical Varicella or there is uncertainty about that history, the child should be given Varicella vaccine. Also, documenting that a child is seropositive for Varicella antibody can satisfy the requirement (as a medical exemption). However, many commercial Varicella serology test kits are insufficiently sensitive to consistently detect Varicella antibody at the level produced by Varicella immunization.

**Note:** Whether Registered Nurses (working in private medical offices, public clinics, schools, etc.) can perform such chickenpox clinical history determinations under a "standardized procedure" developed by or in collaboration with their supervising or consulting physician (per Business and Professions Code Section 2725) is a matter that nurses may discuss with their supervising and consulting physician, and may also wish to discuss with their health care facility's legal counsel and/or the California Board of Registered Nursing.

**#6 Q. Why are older children up to their 18<sup>th</sup> birthday who are transferring from out of state or country into a California school for the first time on or after July 1, 2001 required to document Varicella immunization or immunity, while students of the same ages who are already in attendance at a California school at kindergarten level or above before July 1, 2001, do not have to meet the Varicella requirement?**

- A. The Varicella requirement statute specifically exempts children already enrolled in California schools before July 1, 2001 from the Varicella requirement but does not allow this exemption for new out-of-state transfer students. If a student has previously been enrolled in California school before this date, leaves California and attends school

elsewhere and then returns to the state after this date, he/she is not subject to the Varicella requirement. However, if he/she is entering a California school for the first time on or after this date, he/she must meet the Varicella requirement.

**Note:** As with the other school entry immunization requirements, which also cover out-of-state transfer students, the Department of Health Services will not conduct any special assessments to measure schools' implementation of the Varicella requirement for out-of-state transfer students.

**#7 Q. What if a child enters kindergarten on or after July 1, 2001, but for some reason does not come into compliance with the Varicella requirement and this lack of compliance is not discovered before he/she has progressed to a higher grade level? Is such a child still subject to the Varicella requirement?**

Yes. - (Per California Code of Regulations, Title 17, Section 6040)

**#8 Q. Why are children in child care facilities not required to meet the Varicella requirement until they have reached age 18 months?**

A. In accordance with practice for the other immunization requirements, California's school and child care facility entry Varicella requirement will not be more stringent than standard United States Public Health Service (USPHS) Advisory Committee on Immunization Practices (ACIP) and American Academy of Pediatrics (AAP) recommendations for Varicella immunization. Since these recommendations are that Varicella vaccine can be routinely given any time from age 12 through 18 months, the child care facility entry Varicella requirement will not cover children under age 18 months.

**#9 Q. Why are two doses of Varicella vaccine required for students aged 13 years and older?**

A. The ACIP and AAP recommend Varicella immunization as a two-dose series for previously unimmunized persons aged 13 years and older. Children this age can be conditionally admitted after receipt of the first dose but should receive the second dose between 4 weeks and 3 months after the first dose. If 3 months have passed and the student has still not received the 2<sup>nd</sup> dose, he/she should be excluded from school until he/she comes into compliance with the requirement.

**#10 Q. Are medical and personal beliefs exemptions to the Varicella requirement allowed, as they are for California's other school/childcare entry immunization requirements?**

A. Yes.